



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Contract Change Order No. 2 for Aquatics Facility Design for Additional Services (\$279,030)

MEETING DATE: May 15, 2002

PREPARED BY: Parks and Recreation Director

RECOMMENDED ACTION: That the City Council approve the requested Additional Services Change Order No. 2 for Aquatics Facility Design work for \$279,030 which would result in a total revised design appropriation of \$548,105.

BACKGROUND INFORMATION: City Council awarded project design work contract to ELS Architecture and Urban Design on February 6, 2002, and appropriated a not to exceed amount of \$269,075 for design work. Of this total some \$255,150 is for basic design services and reimbursables with an additional \$8,000 designated from contingency for change order #1 for a total of \$263,150 for design fees. An assumption of the project at that time was an estimated project construction budget of \$2,775,000.

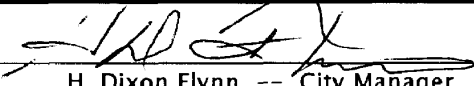
The design work has proceeded with a 25 meter and 50 meter pool option being presented to the City Council for selection and concept approval prior to the start of schematic design. The City Council reviewed the concept design options and provided direction on April 2, 2002, to proceed with the 50 meter pool and 7,200 sqft. recreational pool, accessory buildings, and sitework to serve the increased water area. At the April 2, 2002, meeting presentation Council was informed that these design concepts will increase the estimated project construction budget estimate by \$3,209,807 to a total estimate of \$5,984,807.

The attached requested Additional Services Change Order No. 2 from ELS is for a not to exceed amount of \$279,030. The Additional Services Change Order is requested by ELS in response to City Council clarification and direction to proceed with a 50 meter pool concept plan elements which increases the original estimated project construction budget from \$2,775,000 to \$5,984,807 (an increase of 215% to the estimate).

After several days of negotiations, ELS has indicated that the attached fee request is based upon their specific project phase amounts listed in their proposed fee breakdown and represents their position on the matter. ELS has performed their work to date well and has been responsive to staff requests.

ELS has been directed to cease design work at this time and until this request is reviewed for action. This request represents the adjustment in fees as noted.

APPROVED: \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

05/09/02



## CITY OF LODI

## COUNCIL COMMUNICATION

Should Council approve, additional services change order No. 2 would result in total design fees appropriated not to exceed \$548,105.

### FUNDING:

\$279,030 Additional Services Change Order No. 2 requested amount for additional basic design services and reimbursables. (To come from COP Financing)

Please note the following summary:

\$279,030 Additional Services Change Order No. 2 referenced above.

\$269,075 Current total appropriated for project design. Approved by City Council February 6, 2002 (To come from COP Financing).

\$548,105 Total revised appropriation for project design services. (To come from COP Financing).

Funding Available: *Richard M. Attie*  
Finance Director

*Roger Baltz*  
Roger Baltz  
Parks and Recreation Director

RB:tl

cc: City Attorney

APPROVED: \_\_\_\_\_  
H. Dixon Flynn -- City Manager

05/09/02

**ELS**

ARCHITECTURE AND URBAN DESIGN

**ELS**

2040 Addison Street Berkeley, CA 94704  
510.549.2929 510.843.3304 fax

May 07, 2002

Mr. Roger Baltz  
Parks and Recreation Department  
City of Lodi  
125 North Stockton Street  
Lodi, CA 95240

SUBJECT: Lodi Aquatics Facility  
200118  
Revised Additional Service Proposal: Expanded Scope and Budget

Dear Roger,

Thank you for the opportunity to present a revised proposal for services related to the increased scope and budget of the Aquatics Facility.

The revised proposal is based on the work effort that ELS and our team of experienced consultants estimate will be required for the current plan and budget – not on an arbitrary percentile basis. Therefore, any comparison of the current percentile to the original budget numbers is problematic, since we understand that the original numbers were not based on a quantifiable plan or specific program.

You may be interested, however, in a comparison to the Folsom Lembi Park facility, which has been generally accepted as a comparable facility in terms of program and plan. The prime design consultant of that facility, RJM, Sacramento, reports that the fees for Folsom were 8.7% for Schematic Design through Construction phases, compared to our revised fee is 8.0% for the same phases. Also, please note that our revised proposal includes RJM as the landscape architect.

We feel the proposed fee and scope of services balances the City's fee expectations with our required professional standard of care as closely as is possible, and are hopeful that you concur.

We are most enthusiastic about restarting our design work on this exciting project.

Sincerely,

ELS



David Petta  
Principal-in-Charge



Clarence Mamuyac  
Design Principal

Enclosure: Additional Service Proposal

**ELS**

ARCHITECTURE AND URBAN DESIGN

**ELS**2040 Addison Street Berkeley, CA 94704  
510.549.2929 510.843.3304 fax**Additional Services Request No. 2R**

Date:	May 1, 2002. Revised May 7, 2002	Project:	Lodi Aquatics Facility
To:	Roger Baltz	Project No:	200118
From:	David Petta	Subject:	Increased Budget and Scope

**ELS REQUESTS ADDITIONAL SERVICES AUTHORIZATION FOR THE FOLLOWING:**

At the request of the Department of Parks and Recreation, ELS proposes to provide the additional design services required for a \$5,984,807 facility, including a 50 meter x 25 yard competition pool, a 7,300 recreational pool, and accessory buildings and sitework required to serve the increased water area. (The Basic Services which are currently under contract only include design services for pools and supporting facilities totaling \$2,775,000.) The increase to the construction budget approved by Council is \$3,209,807

- ( ) WORK HAS BEGUN PER VERBAL DIRECTION AND TO MAINTAIN SCHEDULE.
- (X) AUTHORIZATION REQUIRED BEFORE WORK RECOMMENCES.
- (X) RESPONSE REQUESTED WITHIN 5 DAYS

**PROPOSED FEE INCREASE: Not to Exceed \$279,030**Original fee: \$263,150  
Total Revised Fee: \$542,180

(budget increase: \$3,209,807)

(original budget: \$2,775,000)  
(total budget: \$5,984,807)

Submitted By:

Authorized by:

\_\_\_\_\_  
ELS\_\_\_\_\_  
City of Lodi\_\_\_\_\_  
Date\_\_\_\_\_  
Date

Attachment: Fee Breakdown by discipline and phase.

City of Lodi Aquatics Facility  
 Additional Service No. 2R  
 May 7, 2002

### Proposed Fee Breakdown

Professional fees are "not-to-exceed" amounts, billed hourly. Not-to-exceed amounts are intended to be cumulative, such that unbilled portions of any completed phase may be applied to subsequent phases.

	<i>Planning</i>	<i>Add Serve #1</i>	<i>Schematic Design</i>	<i>Constr. Docs</i>	<i>Bid</i>	<i>Constr. Phase</i>	<i>Reimb. Expenses</i>	<i>Proposed Total</i>
Civil	\$9,150		\$6,600	\$14,900	\$1,100	\$1,650		\$33,400
Landscape <sup>1</sup>	\$6,000		\$10,000	\$18,000	\$650	\$2,850		\$37,500
Pool	\$3,500		\$13,068	\$93,010	\$6,534	\$13,068		\$129,180
Architecture <sup>2,3,4</sup>	\$13,500	\$8,000	\$27,200	\$136,000	\$12,000	\$42,500		\$239,200
Structural			\$5,000	\$16,000		\$6,000		\$27,000
Mechanical			\$5,730	\$7,600	\$2,885	\$2,885		\$19,100
Electrical			\$3,000	\$9,000	\$1,500	\$4,500		\$18,000
Food Service			\$1,000	\$1,700		\$800		\$3,500
Cost Estimating			\$3,000	\$9,300				\$12,300
Reimb. Expenses							\$23,000	\$23,000
<b>Total</b>	<b>\$32,150</b>	<b>\$8,000</b>	<b>\$74,598</b>	<b>\$305,510</b>	<b>\$24,669</b>	<b>\$74,253</b>	<b>\$23,000</b>	<b>\$542,180</b>
<b>Contract-To-Date</b>	<b>\$32,150</b>	<b>\$8,000</b>	<b>\$30,000</b>	<b>\$120,000</b>	<b>\$10,000</b>	<b>\$40,000</b>	<b>\$23,000</b>	<b>\$263,150</b>
<b>Increase</b>	<b>\$0</b>	<b>\$0</b>	<b>\$44,598</b>	<b>\$185,510</b>	<b>\$14,669</b>	<b>\$34,253</b>	<b>\$0</b>	<b>\$279,030</b>

#### Footnotes

<sup>1</sup> landscape fees reflect a change of consultants, from SWA (San Francisco) to RJM (Sacramento)

<sup>2</sup> Construction Document fee is based upon an estimated 16 sheets of drawings x 100 hrs. per sheet x \$85 avg billing rate = \$136,000

<sup>3</sup> Bid fee is based upon an allowance of 160 hours over 2 months (.5 FTE) x \$85 = \$12,000

<sup>4</sup> Construction fee reflects an allowance of 500 hrs. over 11 months (.25 FTE) x \$85 = \$42,500. The City and Consultant agree that the not-to-exceed amount for the Construction Phase is an estimate only, and may be subject to a request for increase, since the level of construction phase services required is often beyond the control of Consultant and difficult to anticipate.

Reimbursable expenses shall not exceed \$23,000 without advance notice and written approval. However, please note that reimbursable expenses are not solely under the control of Consultant.